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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

12 BARTELL RANCH LLC, *et al.*,

13 Plaintiffs,

14 vs.

16 ESTER M. MCCULLOUGH, *et al.*,

18 Defendants.

20 WESTERN WATERSHEDS
21 PROJECT, *et al.*,

22 Plaintiffs,

23 vs.

25 UNITED STATES DEPARTMENT
26 OF THE INTERIOR, *et al.*,

27 Defendants.

12 ***Lead Case:***

13 Case No.: 3:21-cv-00080-MMD-
14 CLB

15 ***Consolidated with:***

16 Case No.: 3:21-cv-00103-MMD-
17 CLB

18 **REPLY TO FEDERAL
19 DEFENDANTS' RESPONSE
20 TO WINNEMUCCA INDIAN
21 COLONY'S MOTION TO
22 INTERVENE**

The WINNEMUCCA INDIAN COLONY (“Colony”) represented by its duly elected and recognized Council, and by and through its counsel, submits this Reply to the Federal Defendants’ Response to Winnemucca Indian Colony’s Motion to Intervene (ECF No. 181).¹

This Reply is made and based on the following Memorandum of Points and Authorities, the papers and pleadings filed in this action, and any oral argument the Court may entertain.

MEMORANDUM OF POINTS AND AUTHORITIES

The Federal Defendants argue that “the Colony’s claims be briefed on a separate schedule.” BLM Response to WIC intervention, Doc. 181 at 2:3-7. The Colony does not object to that request, provided that all Tribal claims be heard in one consolidated schedule given the overlap and commonality of the claims.

CONCLUSION

For the foregoing reasons, the Colony respectfully submits that the Court should grant the Motion. The Colony should be allowed to intervene as a matter of right or, in the alternative, permissively.

DATED this 3rd day of March, 2022.

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¹ The Colony hereby retains its right to file its Reply to the Response by Nevada Lithium to the Motion to Intervene, as the Reply is not due at this time.

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of March, 2022, I served a true and correct copy of the above document, entitled **REPLY TO FEDERAL DEFENDANTS' RESPONSE TO WINNEMUCCA INDIAN COLONY'S MOTION TO INTERVENE**, via the Court's electronic filing/service system (CM/ECF) to all parties on the current service list.

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